

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

GERALD RABY, Individually and on Behalf  
of All Others Similarly Situated,

Plaintiff,

v.

EVOLV TECHNOLOGIES HOLDINGS, INC.  
F/K/A NEWHOLD INVESTMENT CORP.,  
PETER GEORGE, MARIO RAMOS, MARK  
DONOHUE, KEVIN CHARLTON, AND  
ADAM DEUTSCH,

Defendants.

Civil Action No. 1:24-cv-10761-ADB

**JOINT STIPULATION AND [PROPOSED] SCHEDULING ORDER**

The parties submit this Joint Stipulation and Proposed Order to set a briefing schedule for an amended complaint and motion to dismiss, following the Court’s selection of lead plaintiff and lead counsel in this putative securities fraud class action.

WHEREAS, Plaintiff Gerald Raby filed this action on March 25, 2024;

WHEREAS, Evolv Technologies Holdings, Peter George, Mario Ramos, Mark Donohue, Kevin Charlton, and Adam Deutsch (together, “Defendants”) hereby waive service;

WHEREAS, the complaint asserts claims under Section 10(b) and 20(a) of the Securities Exchange Act, and is subject to the Private Securities Litigation Reform Act (the “PSLRA”), which sets forth the timing and procedures for the appointment of a lead plaintiff and lead counsel to represent the putative class;

WHEREAS, under the PSLRA, motions to be appointed lead plaintiff and lead counsel are due May 24, 2024;

WHEREAS, the parties anticipate that, once lead plaintiff and lead counsel are appointed, the lead plaintiff will file an amended complaint;

IT IS THEREFORE STIPULATED AND AGREED THAT:

1. Defendants have waived service.
2. There is no obligation for Defendants to answer or otherwise respond to the initial complaint in this case.
3. Once lead plaintiff and lead counsel are appointed, the parties will within 14 days of such appointment confer on a schedule for filing an amended complaint and responses thereto and file a proposed schedule with the Court.
4. By entering this stipulation, Defendants expressly preserve, and do not waive, any defenses with the exception of proper service.

Dated: April 15, 2024

Respectfully submitted,

/s/ Joshua Baker

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Respectfully submitted,

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*Attorneys for Defendants*

**SO ORDERED:**

Dated: April \_\_, 2024

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Allison D. Burroughs  
United States District Judge

**CERTIFICATE OF SERVICE**

I hereby certify that this document, which was filed with the Court through the CM/ECF system, will be sent electronically to all registered participants as identified on the Notice of Electronic Filing (“NEF”) and paper copies will be sent on April 15, 2024 to those identified as non-registered participants.

/s/ William J. Trach  
William J. Trach